

COMMISSION MEETING MINUTES

Indiana Fire Prevention and
Building Safety Commission
Government Center South
302 W. Washington Street
Indianapolis, Indiana 46204
Conference Center Room B

January 4, 2017

Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Chairman Hawkins at 9:00 a.m. on January 4, 2017.

(a) Commissioners present at the Commission meeting:

Ron Brown
Gregory Furnish
Kevin Goeden, representing the Commissioner, Department of Labor
John Hawkins, Chairman
Todd Hite, representing the Commissioner, Department of Health
James Hoch
Matt Mitchell, Vice-Chairman
Patrick Richard
Jessica Scheurich
Craig Von Deylen

(b) Commissioners not present at the Commission meeting:

James Jordan

(c) The following departmental and support staff were present during the meeting:

Legal and Code Services

Dean Illingworth, State Building Law Compliance Officer
Denise Fitzpatrick, Code Specialist
Beth Sutor, Secretary for the Commission
James Schmidt, Deputy Attorney General

2. Old Business

Chairman Hawkins noted that the minutes for the December 6, 2016 meeting were unavailable due to an electronic issue, and they would be presented for approval at the February 7th meeting.

3. Sample Fire Prevention Ordinance

Commissioner Matt Mitchell presented the Sample Fire Prevention Ordinance for Commission consideration. A committee had been assembled in June, and had begun work on creating the template. Randy Gulley, Scott Perez, Jeff Short, Pat Grimes, and Jim Murua, along with Commissioner Mitchell, produced the sample template which had been posted on the agenda last month for viewing. The four basic scoping rules used when the project started were 1. To keep the template very simple and non-specific 2. To not write the ordinance for a specific jurisdiction 3. To not rewrite the Fire Code or engage in rule-making and 4. To focus on the areas in the Indiana amendments that said “or by local ordinance” or some language that would enact a requirement if, in fact, it were required by a local ordinance. Chairman Hawkins asked for questions from the Commissioners. After congratulating the committee, Commissioner Brown asked about crowd managers, found on page 6, and noted it said that local chief should make sure training would take place, but it did not direct what training should be used. Since fire departments are familiar with ICS trainings, he suggested that a 100 or 700 level training be used to provide some guidance. Commissioner Mitchell explained that it had been left undefined so that local jurisdictions could define the trainings that they see fit. Commissioner Brown used the example of a firewatch being done by someone who did not understand the ICS system. Commissioner Mitchell noted that firewatch training requirements were covered in the Fire Code. Commissioner Brown then asked if the Emergency Activation Lighting Test found on page 8 included shunt trips. Commissioner Mitchell explained that the language came straight from the model Fire Code, and it may have been deleted by the Fire Code committee, with language concerning a quarterly test changed to a semi-annual test. Chairman Hawkins then opened the floor to the public. Randy Gulley, Wayne Township Fire Department, spoke about fire department connection location approval to be done by local fire chief or designee. He noted that this had bothered some, and had been “a bone of contention” about the lack of a specific standard for locating a fire department connection. He stated that it was necessary to realize that you have a wide range of stations across Indiana, and every one of them have their idiosyncrasies of operation. If they have a sprinklered building, they need to be able to tailor the location of the fdc to best fit within their incident response guidelines. In his closing comments, Commissioner Mitchell noted that the Fire Prevention Ordinance template would be more dynamic than the Building Code Ordinance template. The ordinances will reflect that with additional items in them that you wouldn’t see in a Building Code ordinance, and that is by design. They did not intend to write the ordinance for the jurisdiction. Chairman Hawkins then suggested the next step should be for the members of the Commission to vote to send the template for staff review before publication on the web site. Commissioner Von Deylen then moved to submit the template for staff review and then publication. Commissioner Hoch made the second. It was voted upon and carried.

4. Discussion Regarding the Indiana Energy Code

Chairman Hawkins announced that Governor Pence had issued an executive order which extended the Indiana Energy Code until January 01, 2018. The Commission had previously asked for the current code to be readopted, and Chairman Hawkins wanted to explain what happens during readoption due to the next item on the agenda for discussion. Each year there are groups of rules that have been adopted that are subject to expiration January 1st seven years from the year they were adopted. We can go through a streamlined process by publishing the group, bypassing all of the OMB requirements by doing so. But if someone sends a letter saying “we’ve noticed you’re adopting this code and we think you should consider adopting a more up-to-date code”, under the statute, that is called a request for separation. No matter how well-intentioned that letter is, it pulls that particular rule out of the streamlined process for that year. It has to go back to the beginning

and go through the adoption process from square one, going through all of the steps for a full rule adoption. That is what happened to the Energy Code, so we can't use the streamlined process. So the options now are 1. We can do nothing and let it expire at the end of the year. 2. Direct the staff to begin the rulemaking process to essentially readopt the same code that we have, without benefit of the streamlined adoption procedure 3. Make slight changes or modifications to the current code. 4. Begin the adoption for a new, more up-to-date Energy Code. Keep in mind that we have extremely limited resources on our staff side, and we only have a year. We were able to do the current code we have in one year because we had an executive order declaring an emergency for it with more staff resources than we now have. There was no formal committee, just a public meeting where we invited input and Mara Snyder had a list of questions to be answered by those attending to get a consensus. Then there was a public hearing with amendments "on the fly", and we adopted it. So after that explanation, the question for the Commission was what do you want to do with the Energy Code. Jim Schmidt advised that one possible approach, if you do nothing but readopt, you may wish to follow up later with changes which are considered appropriate. Chairman Hawkins also broached the possibility of asking staff to begin the readoption while simultaneously exploring adoption of a new code. Commissioner Mitchel wondered how other rules which will expire will be impacted by what was done with the Energy Code. Commissioner Von Deylen asked why we kept talking about limited staff, noting that providing staff was a statutory requirement and that he felt it was time for the State to provide sufficient staff for them to promulgate codes. Commissioner Hoch asked how long it took to get through the fiscal impact study. Chairman Hawkins noted that there had been some funding previously which allowed them to hire an outside group to do the fiscal impact report. He noted that the trouble with the fiscal impact and the Energy Code is that we are not allowed to count the future savings. Commissioner Brown noted that, given the age of our current codes, we would probably exceed the allowable fiscal impact on any of them that OMB would accept. But that's not our decision to make. We need to make sure our citizens have quality, safe construction. Commissioner Richard asked how long it took to get it passed. Chairman Hawkins replied that he thought if we readopted the current code with no changes, it is a realistic expectation for the next year. Jim Schmidt noted that was statutorily, but it didn't account for how long someone might take for the individual steps in the process. Commissioner Scheurich noted that, from a builder's standpoint, most generally they were taking incentives today for building energy efficient homes whether it's a building code or not. She asked if updating the code to the current edition was our prime concern right now, or is it a focus to updating our building codes. She felt the building codes were more of a concern than the Energy Code. She felt we should readopt at this point. Commissioner Richard agreed with readopting as well. As a builder of Class I structures, he feels the plans the architects give him have met the ComCheck and requirements for ASHRAE, and that it's probably overdesigned and more efficient than the code needs it to be. He also noted that Class II structures are generally designed beyond what's required in Chapter 11 because most folks use the performance path. Commissioner Hoch asked for discussion on the statement from Jim Schmidt about readopting and then amending. Following the discussion of procedural difficulties, he noted it was a possibility that it be readopted and then a regular rulemaking done. Chairman Hawkins thought that perhaps, if organizations in the community that were interested in a new Energy Code offered to form a committee, then staff could help them meet the requirements for public meetings. Those groups from the public could act more autonomously without having to have staff to organize the meeting, keep minutes and all of that sort of thing. To develop a draft LSA, those groups could do some work on their own. He thought that was realistic. Commissioner Richard asked what interaction there would be with the Commission, and would the committees be loaded up with people who wanted to put their products into the code. Chairman Hawkins noted there were 8 to 10 different groups who signed letters to the Governor asking him to extend the current code, and those groups would probably have an interest in an updated code. Mr. Schmidt agreed with Commissioner Richard in his caution about private groups producing code. After discussion, Commissioner Scheurich moved to readopt while simultaneously exploring

options for updating the current 2010 code. Commissioner Goeden made the second. It was voted upon and carried. Mr. Schmidt offered a word of caution to make sure it is done following correct procedure.

5. Discussion Regarding Upcoming Reoptions

Chairman Hawkins noted the proposed Outdoor Event Equipment Rule, a temporary rule which the Commission had voted to make a permanent rule, was to be published today by LSA. The public hearing notice was to be posted tomorrow, scheduled for January 27, 2017. The final rule should be on the agenda in February for approval, and should be effective in March. Rule 7, which is the local plan review, is almost ready to proceed to the OMB for approval. A draft fiscal was submitted to Legal to be combined with a draft rule, and will be submitted to OMB for the next step in the process. Assuming the OMB approval is timely, it should track close to the Outdoor Event Equipment Rule and be ready for the upcoming outdoor season. Chairman Hawkins announced the following rules would expire at the end of 2017. They are; Indiana Residential Code (2005), Industrialized Building Systems and Indiana Mobile Structure Codes, NFPA 495 Regulated Explosives, Indiana Visitability Rule for One and Two Family Dwellings, and NFPA 1126 Indoor Fireworks Displays. Mr. Schmidt noted these would qualify for the simplified adoption process. Chairman Hawkins again mentioned that if a letter is received on any of these rules, they would be under a request for separation and ineligible for the streamlined process. Commissioner Brown said that he would be willing to guarantee that they would receive a letter on the Residential Code because it was so antiquated. It was noted that the Residential Code was no longer available for purchase in print. Commissioner Richard said there is a pdf version available online, and he has it flagged on his computer for reference. Chairman Hawkins then suggested contacting ICC to request permission to post that pdf on Indiana's site. He noted that, given the importance of the Residential Code, it would be in the best interest to readopt the code while requesting staff be provided to simultaneously begin work on adopting a new code. A brief discussion of staff availability and duties was held, with an explanation of open positions in IDHS being given by Dean Illingworth in response to a question by Commissioner Brown. Commissioner Brown stated his inclination was to not readopt because if we are running into a staff problem to help us with adopting new codes, it probably won't happen and we'll be stuck with antiquated codes for another two to seven years, and that the age of the Residential Code right now is unacceptable. Mr. Schmidt reminded him that if we don't readopt, in 362 days from now there will be *no* code. Chairman Hawkins stated that with no code, there are jurisdictions in Indiana that would step up and protect the public, but in a lot of places, such as where he lives, there would be no building permit process whatsoever so anybody could build anything, and that was a little bit of a scary thought. Commissioner Scheurich stated that the code needs to be updated, but as she had said earlier, as a builder she thinks they are already building to the higher standard. She stated that, in her opinion, the better stance is to readopt, and asked if parameters stating a committee had to be put together in X amount of time with a show of progress by X amount of time could be added as a condition. When told it was permitted, Commissioner Scheurich made a motion to readopt all codes set to expire with the condition that simultaneously the agency provide staff to form a committee within six months to begin the adoption process for a new Residential Code with progress within three years. Chairman Hawkins identified the codes involved as 675 IAC 14 The Indiana Residential Code, 675 IAC 15 Industrialized Building Systems and Indiana Mobile Structure Code, 675 IAC 26 NFPA 495 Regulated Explosives, 675 IAC 27 Indiana Visitability Rule, and 675 IAC 22-2.2-26 NFPA 1126 Indoor Fireworks Displays. Commissioner Von Deylen asked if the maker of the motion would consider changing her motion from three years to two years for completion of the adoption process. Commissioner Scheurich agreed, and Commissioner Von Deylen then made the second. Bobby LaRue, Monroe County Building Department, addressed the Commission at this time. He identified

himself as the President of the Indiana Association of Building Officials, and "signatory to the letter which is causing you all this bunch of hassle". He explained his purpose in signing the letter was because he is frustrated with letting codes expire. If we actively choose to let codes expire, that's something. But just letting it go away because we didn't do the things we need to do is not okay with him. He stated he's not a fan of the current Energy Code, or of executive orders. But he signed the letter because he wanted us to keep up code progress. He also begged the Commission to not pick the first edition of a code to adopt ever again, complaining that he has 40 pages of errata to have to work into the code book before he gets to the 100 pages of amendments. Chairman Hawkins told him the official answer was no, but they would try, and explained that the edition must be in the printed notice of intent which is why it is usually the first printing. The Chairman called for any more discussion, and hearing none, and having a motion and a second, he called for a vote. It was voted upon and carried.

Chairman Hawkins read the list of rules which expire at the end of 2018. These were 675 IAC 12 GAR, 675 IAC 16-1.4 Indiana Plumbing Code, 675 IAC 21 Safety Codes for Elevators, Escalators, Manlifts and Hoists, and 675 IAC 28 NFPA Standards. There is a statutory requirement that states a new Elevator Code must be adopted within 18 months of publication of a new model code, and a new model code was just published. He noted that some work is being done on the GAR already, as well as Rule 7 and Chapter 11 in regards to downtown development. The Plumbing Code, he noted, was a major item. He felt it best that the Commission voted to begin the adoption process for the Elevator Code because that would keep them in compliance with the statutory requirements. Commissioner Von Deylen moved to begin the adoption process for 675 IAC 21, Safety Codes for Elevators, Escalators, Manlifts and Hoists, with the second by Commissioner Hoch. It was voted upon and carried.

Commissioner Von Deylen wanted to state for the record that there is a state statute requiring the department to provide staff to allow the Commission to do their business. The statute is IC 22-2-12-7.

6. Ordinances

Greenwood had been present last month with Ordinance 15-42. Chairman Hawkins asked if there had been any changes since they were here last. Commissioner Von Deylen interrupted the Chairman to ask counsel a question. Commissioner Von Deylen is a member of the Indiana Builders Association here in Indianapolis, and they are a party to the lawsuit which caused the Greenwood representative to be standing before the Commission. He does not do any work in Greenwood, and asked if he should abstain from voting. Deputy Attorney General Schmidt said it would probably be better if he did abstain. Commissioner Richard, also a member of an IBA subsidiary, asked if he should abstain. Chairman Hawkins noted that Commissioner Scheurich and Commissioner Furnish were members and sought advice. Mr. Schmidt stated that the agency has an ethics officer who should be consulted about this question instead of being answered on the fly, and suggested that perhaps they should not continue the discussion today. Jonathan Whitham, General Counsel for IDHS, was in attendance and identified himself as the agency's ethics officer. He wished to talk to the Commission members before they continued the discussion. If they want to abstain today, he believed there would still be a quorum. Mr. Schmidt said he would check the statutes while Mr. Whitham talked to the Commission members. Chairman Hawkins then asked the representative for Greenwood to be seated until after the break.

The proponent for Ordinance No. 2016, Long Beach, had made a request to be tabled. Mr. Kenneth Purze, representing a group of citizens and stakeholders from Long Beach addressed the Commission, asking that the unsigned ordinance be removed from the agenda. He presented samples of what he said were failures of the Long Beach Planning Commission to follow the template and rules for adoption of the ordinance. Several months of agendas for the Building Commission and the Planning Commission were presented, and Mr. Purze pointed out that the ordinance had not appeared on any of them for public discussion, yet paperwork had been submitted to the Commission. Following discussion with guidance from Mr. Schmidt, Commissioner Brown moved to remove the proposed ordinance from the agenda until a properly vetted and signed ordinance from Long Beach was submitted. Commissioner Hite made the second. It was voted upon and carried.

Ordinance No. 1026-OR, Jeffersonville, had not been submitted as a signed ordinance. Dean Illingworth confirmed he had not received a corrected document. Following discussion, Commissioner Von Deylen moved to remove it from the agenda until a signed ordinance was submitted. Commissioner Scheurich made the second. It was voted upon and carried.

Unsafe Buildings, Vacant Builds Maintenance & Repair Ordinance, Monrovia, had been tabled with a request for a legal review and opinion. Jonathan Whitham, General Counsel, was still in attendance and explained that the review by legal staff had been organized. Commissioner Von Deylen moved to table and requested a timely review by legal staff. Commissioner Scheurich made the second. It was voted upon and carried.

Breaking and reconvening: Chairman Hawkins recessed the Commission at 10:16 a.m. It was called back to order at 10:41 a.m.

6. Ordinances cont.

Chairman Hawkins stated that they had received opinions from Deputy Attorney General Jim Schmidt and Ethics Officer Jonathan Whitham, and it was determined that all members present can vote on this issue. Greenwood representatives were then called forward. Sam Hudson, attorney, and Bill Peoples, Director of Planning and Zoning, addressed the Commission. When asked if there was anything different since the last time, Mr. Hudson said that the situation had not changed. He said they were dealing with a zoning ordinance that deals with esthetics and not building safety. The preliminary order they received stated that submitting the ordinance for approval was necessary. This is not only a problem for the City of Greenwood, but for dozens of other cities with ordinances similar to this one. He stated that it had not been submitted because they did not think it was appropriate, and urged the Commission to allow it to take effect. Chairman Hawkins pointed to the item dealing with the thickness of vinyl siding, and said it appears to be in conflict with the Residential Code, though it's being called a zoning ordinance. The trial court said that any ordinance with anything to do with a building is a building ordinance, and that the Commission needed to determine if they should approve it. Chairman Hawkins stated that they had no discretion in the matter, if it's a building ordinance they had to approve it. And, he noted, statute says that if they don't approve or deny it in 4 meetings it is automatically approved. Mr. Hudson asked how the section on siding was in conflict, and was told that the Residential Code was a min/max code

and that it dealt with the thickness of siding. It was also noted that they had used the word construction in their opening statement. Commissioner Richard felt that what was in the Greenwood ordinance was already in the Residential Code. The Chairman called for further discussion or a motion. Commissioner Richard moved to deny, with the second by Commissioner Hoch. It was voted upon and carried with one nay by Commissioner Brown.

7. Variances

Tabled

There were no tabled A/B variances to discuss.

C/D/NVR

16-07-01 Chairlift Installation, Newtown – incomplete

No proponent was present to answer questions. Commissioner Brown moved to deny due to the lack of substantive nature, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-09-03 Spring Valley Camp Pool, Middletown

Falon Medley, Manager, appeared as proponent. The request was to allow the use of one skimmer. She explained the equipment provided, how it functions, their testing results, and provided data sheets. Following discussion, Commissioner Hite moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried.

16-11-02 Temporary Sales Trailers, Indianapolis

No proponent was available for questions. Commissioner Furnish moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-11-43 Pike High School, Indianapolis

Ryan Davis, Pike High School, spoke as proponent. Mr. Davis explained how he and Sam Bruner, the Pike Township Fire Marshal at the time, had worked together on the removal of excess pull stations due to several remodeling projects done in the school building, following exception #3 in an E occupancy. Pull stations were left at each of the 18 exits and in the main office per code. The current Fire Marshal for Pike Township wants the pull stations. Sam Bruner, Pike Fire Department, and Jeff Dean, City of Indianapolis, were also present. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried.

16-11-52 Morphey Construction Office Remodel, Indianapolis

No proponent was available for questions. Commissioner Von Deylen moved to table, with the second by Commissioner Hoch. It was voted upon and carried.

16-12-03 Providence at Old Meridian, Carmel

No proponent was available for questions. Commissioner Von Deylen moved to table, with the second by Commissioner Hoch. It was voted upon and carried.

16-12-05 West Broadway Shopping Center, Princeton

The proponent had requested the application be tabled. Commissioner Furnish moved to table, with the second by Commissioner Hoch. It was voted upon and carried.

16-12-06 Maple Grove Elementary School, Bargersville

Kevin Killinger, Bargersville Fire Department, appeared as the local fire official. He supported the variance requesting delayed egress locks for the special needs classrooms to help delay the elopement of students. Commissioner Brown moved to approve with the condition that the locks would be installed only on the special needs classroom doors. Commissioner Hoch made the second. It was voted upon and carried.

16-12-13 Memory Care Unit Disguised Doors, Brownsburg

No proponent was available for questions. Commissioner Von Deylen moved to table, with the second by Commissioner Hoch. It was voted upon and carried.

16-12-14 Maple Lane Metals, Grabil

The application was incomplete and ineligible to be heard. Commissioner Mitchell moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-12-15 Residences on Ronald Regan Fire Monitoring, Avon

No proponent was available for questions. Commissioner Hoch moved to table, with the second by Commissioner Scheurich. It was voted upon and carried.

16-12-35(a) Wa-Nee 2017 Additions & Renovations Northwood High School, Nappanee

Dennis Bradshaw, FP&C Consultants, spoke as proponent. The request was to allow the travel distance for the music area to be increased to 241 feet, with a 2-hour fire barrier to be creating a horizontal exit. The two rooms are changing use and occupant loads, with one exit out of each room. The proponent reported the owner was reluctant to put in an exit directly to the exterior from

the rooms, citing cost. Following discussion, Commissioner Von Deylen moved to deny with the second by Commissioner Hoch. It was voted upon and carried.

16-12-39(a)(b) Developer Village Evansville, Evansville

Nancy Long, A1 Expeditors, spoke as proponent. The request in variance (a) was to allow the use of extension cords and other flexible cords in lieu of permanent wiring. The kiosks are not permanently affixed inside the building, allowing them to be reconfigured when work groups are reassigned. Variance (b) was to omit sprinklers inside the kiosks. The steel warehouse building itself is sprinklered, and there is a 1'x1' opening in each kiosk's ceiling and a fire extinguisher. Following discussion, Commissioner Hoch moved to table both, with the second by Commissioner Scheurich. It was voted upon and carried.

16-12-40 Spectra Tech, Noblesville

Darren Peterson, architect, spoke as proponent. Business vehicles are to be stored overnight, primarily in winter, in a building of non-combustible Type II construction. The request was to allow the sprinkler system to be omitted. No repair or maintenance will be done inside the building, and the storage area will house things such as wrenches, hoses and valves. Following discussion, Commissioner Von Deylen moved no variance was required, with the second by Commissioner Hoch. It was voted upon and carried.

16-12-49(a) Five Points Kennels Addition, Indianapolis

Carrie Ballinger, RTM Consultants, spoke as proponent. The request in variance (a) was to allow the facility to exceed the distance of the farthest portion of the building from the fire access road allowed by code. They offered to provide a 12' stone drive around the east end of the building. Margie Bovard, Indianapolis Fire Department, did not support the variance. Following another lengthy discussion, Commissioner Von Deylen moved to deny with the second by Commissioner Hoch. It was voted upon and carried.

16-12-53(b) 16th Street Condominiums, Indianapolis

Ed Rensink, RTM Consultants, withdrew application (b).

16-12-64 The Running Horse Barn, Nashville

Colleen Smith, architect, spoke as proponent. Also present was Nancy Brown, owner. The request was to allow the use of Chapter 34 in the conversion of a barn into an A occupancy facility. She provided results of the structural inspection and Chapter 34 evaluation. Commissioner Hoch moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried with three nay votes.

16-12-67 Ambre Blends, Indianapolis

Dennis Bradshaw, FP&C Consultants, spoke as proponent. Also present was Adam Crockett, owner, and Darren Peterson, architect. The request was to not provide a compliant fire department vehicle access to all portions of the new addition's exterior walls due to site constraints. The addition is separated from the existing building with a rated fire wall and rated doors, and has ten employees who manufacture body care products. Margie Bovard, Indianapolis Fire Department, did not support the variance. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried with a nay vote by Commissioner Brown.

New Variances

A/B

Chairman Hawkins called for any variances in the A/B category which were to be called out for individual consideration. There were none. Commissioner Richard would abstain from 17-01-31 Lafayette Family YMCA, Lafayette. Commissioner Brown asked that 17-01-42 Ponderosa Cabinet Addition, Kendallville, be voted upon separately. Also included in the block vote were 17-01-31 and 17-01-38(a)(b)(c)(d)(e). Commissioner Von Deylen then moved to approve all A and B variances eligible for the block vote. Commissioner Scheurich made the second. It was voted upon and carried.

The following variances were approved as submitted:

17-01-03 New Beginnings Life Center, Indianapolis
17-01-04 Urban Station, Bloomington
17-01-05(a)(b)(c)(d)(e) Bel-Aire Splash Pad, Indianapolis
17-01-06(a)(b) Rolls Royce Plant 8 Powerhouse Electric Fire Pump, Indianapolis
17-01-07 Crapo Hall, Terre Haute
17-01-08 Salesforce Tower, Indianapolis
17-01-09 Park 66 Flats of Broad ripple, Indianapolis
17-01-10 Deming Hall, Terre Haute
17-01-11 Allied Solutions Corporate Headquarters, Carmel
17-01-31 Lafayette Family YMCA, Lafayette
17-01-38(a)(b)(c)(d)(e) Patterson Pointe, Bloomington
17-01-40 Markle Rehabilitation, Markle

The following block variances were heard separately:

17-01-42 Ponderosa Cabinet Addition, Kendallville

Commissioner Von Deylen moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried with one nay vote by Commissioner Brown.

Breaking and reconvening: Chairman Hawkins recessed the Commission at 12 noon. It was called back to order at 1:05 p.m.

16-12-15 Residences on Ronald Regan Fire Monitoring, Avon

A representative was now available to answer questions. Commissioner Scheurich moved to remove the table, with the second by Commissioner Von Deylen. It was voted upon and carried. Koorson Fire and Security had been asked to replace a DMP system in the fifteen building complex connected to the fire alarm panel with a history of trouble, and they requested to be allowed to replace it with a sole path cellular communication system without backup. No POTS lines are available, and the cost of an internet service for each fire alarm system would be a large cost for the owners. The sole path monitoring was to check in every five minutes as opposed to the code-compliant twenty-four hours. Following discussion, Commissioner Hoch moved to deny, with the second by Commissioner Von Deylen. It was voted upon and carried.

C/D/NVR

17-01-02 Midwest Sports Complex, Indianapolis

Brandon Fishburn, owner, spoke as proponent. An observation deck was added to an existing deck with ADA compliant access. The new observation deck is not compliant, and the owner says the area surrounding it is too small to add a ramp. He also noted that the same services on the new deck are available on the compliant existing deck. He requested that the observation deck be allowed to remain noncompliant due to site restraints and excessive costs to comply. Following discussion, Commissioner Hoch moved to approve with the warning that the variance was to the Indiana code only. Commissioner Furnish made the second. It was voted upon and carried with one nay.

17-01-12 Elevator Machine Room Extinguishers, Notre Dame

Christina Colleser, RTM Consultants, and Bruce Harrison, Notre Dame Fire Department, spoke as proponents. The University of Notre Dame uses CO₂ extinguishers in their elevator machine rooms. The request is to allow the use of these extinguishers in elevator machine rooms which were constructed before 2002 where the elevator code of record required ABC extinguishers. Tom Hendricks, Director of Elevator Division, does not oppose the variance. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

17-01-13 L.A.D.A., Ft. Wayne

No proponent was available for questions. Commissioner Von Deylen moved to table, with the second by Commissioner Hoch. It was voted upon and carried.

17-01-14 Igleheart Farmhouse, Evansville

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow the 1890's single family dwelling to be converted to a non-separated mixed use of offices and two bedrooms for occasional overnight guests using Rule 13. The building, used by the Igleheart Foundation Board of Directors, would be a B and an R-3. The building does not exceed the height or area allowed per rule 13, and mechanical, electrical and plumbing systems will comply with new construction rules.

Smoke alarms, egress illumination and exit width will comply. Following discussion, Commissioner Furnish moved to approve, with the second by Commissioner Hoch. It was voted upon and carried.

17-01-15 Indianapolis Professional Firefighters Union, Indianapolis

Melissa Tupper, RTM Consultants, spoke as proponent. The request was to allow the vision lights in 7 doors to be at 44 inches instead of the 43 required by code. The condition was discovered during the final inspection of the addition and limited renovation of the existing building. Following discussion, Commissioner Mitchel moved to approve with the warning that the variance would be to the Indiana Code only and not the ADA. Commissioner Hoch made the second. It was voted upon and carried.

17-01-16(a)(b) Whippoorwill Hill Farm Event Barn, Bloomington

Melissa Tupper, RTM Consultants, spoke as proponent. Also presenting were the owners, Jeff and Ann Lucas. The owners of the property had relocated a 1900's barn from Shelbyville to the farm in Bloomington, and were now interested in using Chapter 34 to convert it to an event space for 300 occupants. Since the structure is being moved, the foundation and second floor supports will be steel. The request in (a) was to allow the use of portable restroom trailers in lieu of constructing permanent restrooms. Drinking water would be provided. The owners stated that the existing well on the property was now dry, and that the closest water lines were on the other side of a strip of land owned by their neighbor who did not want to grant them permission to install the water line using the lane that has been used to reach the road from the farm for 150 years. The owners and neighbor have been in negotiations, and have yet to reach an agreement. They state they will install permanent restrooms when the water issue has been settled. Variance (b) was to allow the use of Chapter 34 to convert the barn to an A-2 occupancy. The structural evaluation has been completed. A manual fire alarm system, a heat detection system, and a shunt trip will be provided. Maximum travel distance is 90 feet, with emergency lighting and exit signs provided. Bobby LaRue, Monroe County Building Department, also addressed the Commission, and did not support the variance. Following discussion, Commissioner Hoch moved to table to allow the proponent to increase their life safety offerings and to work on the water situation, with the second by Commissioner Von Deylen. It was voted upon and carried.

17-01-17(a)(b)(c) Hoover Feed Mill, Goshen

Melissa Tupper, RTM Consultants, spoke as proponent. Also present were Herb Hoover, owner, Barry Morgan, design/builder of the project, and A.D. Johns, project engineer. A new feed mill was being built to replace an existing mill taken by eminent domain by the State of Indiana. The equipment is designed by one group, and another architect designed the first floor spaces. The foundation has been laid at this time. Variance (a) was a request to allow the facility to be a Type II-B construction mixed use building which exceeds its allowable area by 4%. The occupant load is 18, and a manual fire alarm system will be installed. The main building is one story, with two lower levels which serve as equipment platforms for the milling equipment and are occupied only during maintenance. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried with one nay by Commissioner Brown. Variance (b) was to allow one exit from the first and second levels below grade. Both levels are being used to access equipment for routine maintenance and are not normally occupied. A ladder

will be provided for the second exit on the opposite side of the platform, and there will be a fire alarm system throughout the building. When occupied, one or two maintenance personnel are present. Following discussion, Commissioner Von Deylen moved to approve with the ladders to be provided. Commissioner Hoch made the second. It was voted upon and carried. Variance (c) was to omit sprinklers in the Type II-B construction building. The milling equipment is protected by a built-in suppression system. Discussion was held concerning the lack of rated separations between the different use areas of the building. Following the proponents offer to protect the office area with a 1-hour rated separation, Commissioner Hoch moved to approve with the condition that the office area be separated by 1-hour rated construction. Commissioner Von Deylen made the second. It was voted upon and carried with a nay by Commissioner Brown.

17-01-18 5858 North College Avenue Apartments, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow the recirculation and transfer of air in a kitchen in lieu of exhausting it to the exterior. Chairman Hawkins asked if there was a non-rule policy concerning this, to which the proponent answered yes, but the owners still wanted him to request the variance. Commissioner Von Deylen moved no variance required, with the second by Commissioner Hoch. It was voted upon and carried.

17-01-19 St. Mary's Convent Renovation, Notre Dame

Ed Rensink, RTM Consultants, spoke as proponent. The five-story nursing facility will be undergoing renovation in certain areas which will result in the reduction of both accessible and non-accessible sleeping rooms, while increasing new activity and day room spaces. The request is to allow the facility to have less than 50% accessible sleeping rooms with connected bathing and toilet rooms. The facility is exempt from the ADA since they serve only members of the convent. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

17-01-20(a)(b) George Utz Building Addition, Edinburgh

Ed Rensink, RTM Consultants, and Mike Runnebohm, Runnebohm Construction, spoke as proponents. An addition of 85,000 square feet to an existing warehouse and production area which manufactures plastic totes and containers has been proposed. Variances had been granted in 2009 during construction of the existing building. These variances are being requested for the addition. In variance (a) the request is to omit the sprinkler system which is required due to the S-1/F-1 fire area exceeding 12,000 square feet and high piled combustible storage in the warehouse. A manual and automatic fire alarm system will be provided, with a projected beam fire detection system for the warehouse and a rate of rise/fixed temperature heat detectors in the production area. An existing 2-hour barrier between the office and production support areas will be extended to the addition. A Class II standpipe system is provided in the existing building and will be extended into the addition. Fire access will be available on all four sides of the building, and smoke/heat vents and mechanical exhaust systems are provided in the production area. Commissioner Brown asked for the justification for omitting the sprinklers in the original variance. The proponent explained the owner didn't want equipment damage if the sprinklers activated. The project budget was approximately 6 million dollars, and sprinklers would be approximately \$250,000. Commissioner Brown felt they should at least sprinkler the new addition and separate it somehow if it hadn't been done already. The proponent noted that it would be difficult due to the needs of the production area. Chairman

Hawkins suggested a draft curtain between sprinklered and non-sprinklered. The proponent suggested the application be tabled to allow him time to speak to the owner concerning changes. Commissioner Hoch then moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

17-01-21 Butler University Student Housing Building 2, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow a single multiple-user restroom to be installed in lieu of separate male and female restrooms to serve the common amenity areas in the building. Individual private water closets with full height walls and doors will be provided within the restroom as well as a separate water closet compartment that includes a lavatory to function as a "family" restroom. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Hite. It was voted upon and carried with two nays.

17-01-22 Metro 360 Building Renovation, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. An existing, deteriorated exterior fire escape for the 1880's building was being replaced. Due to site constraints and existing construction, the stairs will not comply with tread depth and termination point at grade. A landing for the stair flight from the second floor to grade will also be prohibited. An attempt to make the risers and treads as uniform as possible on all the flights resulted in a 9¼" tread depth. The risers are open with a bevel. Following discussion, Commissioner Von Deylen moved to approve with the condition that the treads are 10"-10½" in length. Commissioner Hoch made the second. It was voted upon and carried.

17-01-23 Jackson County Judicial Center, Brownstown

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow the exterior cmu wall of the existing Annex building to be used as a 2-hour fire barrier between the existing annex and the structurally independent new construction. The new construction will be sprinklered. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Goeden. It was voted upon and carried.

17-01-24(a)(b) Empowered Sports, Ft. Wayne

Tim Callas, J&T Consulting, spoke as proponent. A new A-3 occupancy volleyball building of type V-B construction, fabric over steel support, will be over area to provide space for the necessary number of volleyball courts with sand floors. The building has 5 exits while 2 are required, and 224 inches of exit width while 96 inches are required. A monitored fire alarm system will be provided throughout the addition, and it is separated from the existing building by a pedestrian walkway per code. There will be an actual occupant load of 90, with no spectator seating areas. It was noted that the north side of the building lacked an exit. The proponent agreed to have an exit positioned there. Jim Murua, Ft. Wayne Fire Department, said the facility was not in his jurisdiction, but that he had seen it. Following discussion, Commissioner Hoch moved to approve with the condition of the additional door on the north side. Commissioner Von Deylen made the second. It was voted upon and carried.

17-01-25 Kelly Miller Circus, Clinton

Tavana Brown, Kelly Miller Circus, spoke as proponent. The request was to be allowed to tie the tent to their circus trucks for added structural integrity. These vehicles would be within 20 feet of the tent, which is not allowed by code. The request had been previously granted with the condition that a schedule of appearances was filed with the A&E application. The proponent stated this will be with this application as well. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried.

17-01-26 Skiles Test Elementary School Addition, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow a combination of a new 2-hour fire barrier and the existing area separation wall to separate the addition and a portion of the existing building which cannot be separated due to an operable wall used to expand use of the gym/cafeteria in a variety of ways. The addition and included portion of existing structure would be sprinklered. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

17-01-27(a)(b)(c)(d)(e)(f)(g) Marian University Student Center, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. Variances (d) and (g) had been eligible for the block vote. Commissioner Von Deylen moved to approve, with the second by Commissioner Brown. Variance (g) had been withdrawn. It was voted upon and carried. Variance (a) was a request to allow a non-combustible open-air dock structure to be added to an existing which will put it in noncompliance for allowable area for a Type II-B construction. The addition and adjacent connector between the gym and Clare Hall will be sprinklered per NFPA 13. Commissioner Von Deylen moved to approve, with the second by Commissioner Hoch. It was voted upon and carried. Variance (b) was to allow the first floor of an area created by the project to exceed allowable area for its construction type by 11%. The area is fully sprinklered. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Hite. It was voted upon and carried. Variance (c) was to allow a 2-hour fire barrier to be used in lieu of the fire wall to separate new and existing construction into 4 separate building areas. Each will be protected throughout with an NFPA 13 system. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Hoch. It was voted upon and carried. Variance (e) was to allow a portion of the first floor of Clare Hall to be converted from a dining hall to offices, classrooms and a lounge, and not have to comply with new rules of construction or Chapter 34. The proponent stated that the change of use is less hazardous than the current use. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Brown. It was voted upon and carried. Variance (f) was to allow the discharge from the northwest stair enclosure from the existing Clare Hall to be redirected through a portion of the existing first floor, and the discharge from the southwest stair enclosure and open stair from the basement to be redirected to an exterior door on the north side of the building by the original gym. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

Breaking and reconvening: Chairman Hawkins recessed the Commission at 2:42p.m. It was called back to order at 2:55 p.m.

17-01-28(a)(b) 922 N. Pennsylvania Cabaret, Indianapolis

Melissa Tupper, RTM Consultants, spoke as proponent. Two offices are being added to create a second story of approximately 665 square feet within the existing 1-story office portion of the building. The request in (a) is to allow a single exit from this area, and to have a 115 foot travel distance. The existing office area and the new second floor will be sprinklered with an NFPA 13 system, and separated by a 2-hour fire barrier. Commissioner Von Deylen moved to approve, with the second by Commissioner Brown. It was voted upon and carried. The request in (b) is to allow the fire alarm, smoke detection and sprinkler system to be provided in the Cabaret space only. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

17-01-29 Wabash River Highland Plant Fire Protection Water Supply, West Terre Haute

Ed Rensink, RTM Consultants, spoke as proponent. The Wabash River Highland Plant is undergoing a conversion of the power turbine from a combined cycle unit to a simple cycle peaker due to a cessation of an agreement for shared services with the adjacent Duke Energy property. The request is to permit a temporary use of a non-UL listed temporary fire pump and non-NFPA 22 compliant water storage tank for up to 6 months when a permanent water supply will be made available to the site. It will be connected to the fire loop serving fire hydrants, a number of transformer/generator deluge systems and the subject buildings. Following discussion, Commissioner Brown moved to approve with the condition that the variance was to be valid until August 1, 2017. Commissioner Hoch made the second. It was voted upon and carried.

17-01-30 Quasar Syngas Plant Fire Protection Water Supply, West Terre Haute

Ed Rensink, RTM Consultants, spoke as proponent. This variance is identical to 17-01-29, except for the owner. Commissioner Brown moved to approve with the condition that the variance was to be valid until August 1, 2017. Commissioner Hoch made the second. It was voted upon and carried.

17-01-32(a)(b)(c)(d) Eskenazi Museum of Art Renovation, Bloomington

Dennis Bradshaw, FP&C Consulting, spoke as proponent. Also appearing was Nick Warden, architect. Variance (b) had been eligible for the block vote. Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried. Variance (a) was to omit the sprinklers beneath the noncombustible pedestrian bridge which crosses the atrium space. The building is sprinklered except in the atrium space, but is not used for the display of artwork. A new emergency voice/alarm communication fire alarm system will be provided as well as smoke detection. Following discussion, Commissioner Brown moved to approve with the second by Commissioner Von Deylen. It was voted upon and carried. Variance (c) was to omit areas of rescue within or adjacent to the stair enclosures. All areas with a fire load and fire potential will be protected by the sprinkler system. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Hite. It was voted upon and carried. Variance (d) was to allow a conference room that will have the exits located less than half the diagonal distance of the room apart. The distance between the two exits is 32 feet which is greater than one-third the

maximum diagonal of the room. Following discussion, Commissioner Hoch moved to approve with the second by Commissioner Furnish. It was voted upon and carried.

17-01-33(a)(b) Indiana Buddhist Temple, Hoagland

Melissa Tupper, RTM Consultants, spoke as proponent. A single family home from the 1900's is being converted to a Buddhist Temple. The request in (a) is to be allowed to use Rule 13, though the actual building area exceeds the 3,000 square feet allowed by code. Residential inter-connected smoke detectors are to be installed in the Type VB Construction, 2-story building. Following discussion, Commissioner Von Deylen moved to approve with the condition that the windows in the sleeping rooms must be egress windows. Commissioner Mitchel made the second. It was voted upon and carried with one nay. Variance (b) was to be allowed to use Rule 13 to convert the facility to a mixed use A-3 and R-3, though Rule 13 allows conversion to R-2. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Mitchel. It was voted upon and carried.

17-01-34 Johnson Memorial Hospital, Franklin

Derrick Holman, RTM Consultants, spoke as proponent. The request is to allow the use of a 2-hour fire barrier between the existing building and the addition, not the fire wall required by code. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

17-01-35 Salesforce Tower 47th Floor, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow the use of a card-reader on the two doors leading from the elevator lobby into the tenant space on the 47th floor to restrict access to a floor which is not open to the public. The devices will unlock upon fire alarm or water flow and loss of power. Following discussion, Commissioner Hoch moved to approve with the second by Commissioner Von Deylen. It was voted upon and carried.

17-01-36 Memorial Lodge, Jasper

Melissa Tupper, RTM Consultants, spoke as proponent. The Memorial Hospital in Jasper had been given an estate as a donation. The request is to use a Chapter 34 analysis to change the existing single family dwelling, riding area and stables into meeting rooms, retreats, assembly areas medical student housing, storage of vehicles and equipment, and an aeroponic growing area in the future. The areas in the facility which are not yet sprinklered will be protected by an NFPA 13 system. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Hoch. It was voted upon and carried.

17-01-37(a)(b)(c) Hysterium Escape Rooms and Haunted House, Ft. Wayne

Carrie Ballinger, RTM Consultants, spoke as proponent. An existing warehouse was converted to a haunted house without complying with change of occupancy requirements in 1998. The facility

has been a Group A occupancy since then without sprinklers, a monitored fire alarm system and no emergency voice/alarm communication. The current project is to remodel 2,000 square feet of the existing 9,500 square feet of the A-3 Haunted House to use as A-3 Escape Rooms. The request in (a) is to allow the building which did not meet the requirements of change of use in 1998 to now remodel a portion of the building for use as escape rooms without meeting requirements. The proponent stated that building is occupied from August through November, which includes set-up and tear-down, while open to the public for 16-18 nights during season. There are hardwired, interconnected smoke alarms with battery backup. All rooms in the haunted house are open above, and all combustible decorative materials are treated with fire retardant, and there is one fire extinguisher per every 2 rooms. Emergency lighting is provided, illuminated exit signs and directional exit markings are provided. Two managers and 30 actors with 2-way radio communication and 2 security officers on site when public is present. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried. Variance (b) was to allow the escape rooms to not comply with current Special Amusement Building requirements. The rooms will not be sprinklered, and actuation of a single smoke alarm will not immediately sound an alarm at a constantly attended location. An emergency voice/alarm communication system will not be provided, nor will exit marking beyond what is required by Section 1011. The locked egress doors, however, will be clearly identifiable as exit doors and a push-to-exit button is beside the door which will unlock the door immediately. Multiple station smoke alarms are provided and interconnected throughout the building. Activation of the alarms will automatically unlock the maglocks. An emergency stop button in the control room will also release all maglocks in the escape rooms. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Furnish. It was voted upon and carried. Variance (c) was to allow the hardware for the maglocks in the escape rooms to not be affixed to the door leaf, which does not comply with current code. This had been an issue raised in previous escape room variance applications, and as had been established, a motion to approve the variance until July 1, 2018, was made by Commissioner Von Deylen. Commissioner Hoch made the second. It was voted upon and carried.

17-01-39 51 W. Clinton Street Renovation, Frankfort

Christina Collester, RTM Consultants, spoke as proponent. The request was for 8 points to pass the Fire Safety category in her Chapter 34 evaluation. The building, a two-story Type III-B construction with partial basement, is being converted from a B occupancy to an A-2 occupancy. The proponent stated that the travel distance is less than half of the allowed distance, and she had told the fire department there was to be no storage uses. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Hoch. It was voted upon and carried.

17-01-41(a)(b)(c)(d)(e) IU Memorial Stadium Addition and Renovation, Bloomington

Melissa Tupper, RTM Consultants, spoke as proponent. The project is an infill of the south end of the Indiana University Stadium. Variance (a) is to allow a single accessible means of egress from the hydrotherapy room and the addition lounge on the ground level. Code requires two. A horizontal exit serves as the accessible exit, and all other means of egress are stairs since this floor is below the level of exit discharge. Commissioner Von Deylen moved to approve, with the second by Commissioner Hoch. It was voted upon and carried. Variance (b) was a request to allow the use of a 2-hour fire barrier in lieu of a 4-hour fire wall to separate the enclosed areas of the south end

zoned addition from existing east and west grandstand structures. The building will be protected throughout with an NFPA 13 sprinkler system. The building will also be protected by a fire alarm system. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Brown. It was voted upon and carried. Variance (c) was to omit sprinklers under the pedestrian concourse roof and the pedestrian bridge area. The concourse and bridge are cast in place concrete, and the roof of the concourse is 33 feet above the floor. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Brown. It was voted upon and carried. Variance (d) and (e) were eligible for the block vote. Commissioner Von Deylen moved to approve both, with the second by Commissioner Hoch. It was voted upon and carried.

17-01-43 Marion General Hospital Generator Addition, Marion

Derrick Holman, RTM Consultants, spoke as proponent. The request was to allow the second means of egress from the generator addition to sit on a concrete perimeter beam that is approximately 15" above the existing finished floor. This area will be accessed by personnel only, with no public access allowed. Following discussion, Commissioner Hoch moved to approve with the condition that signage advising of the step be provided. Commissioner Brown made the second. It was voted upon and carried.

17-01-44(a)(b)(c)(d)(e)(f)(g)(h)(i) Butler University Lacy School of Business, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as the proponent. Variances (b), (d), (e), and (f) were eligible for the block vote. Commissioner Brown moved to approve all four, with the second by Commissioner Von Deylen. It was voted upon and carried. Variance (a) was to omit the required 1-hour shaft between the open lobby space and each individual floor. The building will be protected by an NFPA 13 sprinkler system, with openings in all five levels protected by an 18" draft curtain and close spaced sprinklers. Two enclosed exit access stairs are provided. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Hoch. It was voted upon and carried with one nay vote. Variance (c) was to omit the 1-hour shaft between the open lobby space and each individual floor. The building will be protected by an NFPA 13 sprinkler system, and 18" draft curtains and close spaced sprinklers protecting the openings in all five stories of the building. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried. The proponent withdrew variance (g). In variance (h), the building has an exit access stair that discharges across a first floor atrium space. The request was to omit the 2-hour fire resistive construction for the first floor required code due to the basement level below. Following discussion, Commissioner Hoch moved to approve with the second by Commissioner Brown. It was voted upon and carried with 1 nay vote. Variance (i) was to allow a 5-story building to have combustible piping penetrating non-rated floor assemblies without a shaft. The penetrations will be provided with fire stop assemblies in the annular space. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried.

The following variance applications appeared as incomplete:

A/B

17119 Fairfield Inn & Suites, Anderson

17207 Cityscape at Plainfield, Plainfield

17208 University of Notre Dame Walsh Hall, South Bend
17294 11939 Building, Carmel
17295 Lakes Plaza, Bloomington
17310(a)(b) Lofts at Haute Maison, Terre Haute

C/D/NVR

17304(a)(b) 360 Market Square, Indianapolis
17309 Ritz Charles Wedding Chapel, Carmel
17313 Barker Archives & Keep Safe Storage
17314 Lakeshore Dunes Apartments, Gary
17331 Thursday Church, Vincennes
17332 Menard Inc. Warehouse Addition, Camby
17338 Proposed Professional Bldg. Village Center Shoppes, Carmel
17351 Schnee Ribeyre Elliot House, New Harmony

Commissioner Von Deylen moved to table the incomplete variance applications, with the second by Commissioner Richard. It was voted upon and carried.

8. Non-rule Policy: IRC Section N1106 Performance Based Alternative and Section R106

Commissioner Greg Furnish had provided a copy of a proposed non-rule policy and interpretation of 675 IAC 14-4.3, 2005 Indiana Residential Code, Section N1106-Performance Path, with regards to Section R106. He had also provided supporting information. It was decided to have the discussion at the next meeting, to be held February 7, 2017.

9. Discussion and Commission action on petition for review

Ft. Wayne Escape Room, Ft. Wayne
Order – Fire and Building Code Enforcement

Commissioner Von Deylen moved to grant the petition for review, with the second by Commissioner Hoch. It was voted upon and carried.

10. Discussion and Commission action on administrative law judge decision

AMC Showplace Theaters
Cause No. DHS-1616-FPBSC-011
Non-Final Order of Dismissal

Express Inn Princeton
Cause No. DHS-1609-FPBSC-005
Notice of Non-final Order of Dismissal

Commissioner Von Deylen moved to affirm the Non-Final Orders of Dismissal, with the second by Commissioner Hoch. It was voted upon and carried.

11. Comments

Chairman Hawkins thanked everyone for coming.

12. Adjournment

Chairman Hawkins adjourned the meeting at 4:11 p.m.

